

REMARKS

Claim 1 has been amended to no longer include bringing phosphoric acid containing arsenic into contact (A) hydrogen halide alone. This method of purifying phosphoric acid has been moved to new claim 11, which claims "a method for purifying phosphoric acid, which consists essentially of bringing phosphoric acid containing arsenic into contact with hydrogen halide." New claims 12 and 13 include limitations that are recited in original claims 5 and 6. No new matter has been added. In addition, the amendments and new claims only require cursory review because all of the limitations were present in the claims prior to this amendment. Accordingly, the amendments should be entered after the final rejection.

Claims 1 and 3-6 stand rejected under 35 U.S.C. 102(b) as being anticipated by or, in the alternative, under 35 USC 103(a) as obvious over either Hurka or Sakomura. This rejection is respectfully traversed. Claim 1 has been amended to claim a method for purifying phosphoric acid, which comprises bringing phosphoric acid containing arsenic into contact with hydrogen halide in the presence of a compound capable of generating hydrogen halide under acidic conditions, wherein the compound capable of generating hydrogen halide under acidic conditions is a halide of iron (II), copper (I) or tin (II). Neither Hurka nor Sakomura describe or suggest a method for purifying phosphoric acid that includes the claimed "compound capable of generating hydrogen halide under acidic conditions." Since the combination of Hurka and Sakomura does not describe or suggest the claimed invention, claim 1 should be allowed. Claims 3-6, which depend from claim 1, should be allowed for at least the same reason.

New claim 11 claims a method for purifying phosphoric acid, which consists essentially of bringing phosphoric acid containing arsenic into contact with hydrogen halide. Neither Hurka nor Sakomura suggest a method for purifying phosphoric acid which consists essentially of contacting the phosphoric acid with hydrogen halide as claimed. To purify the phosphoric acid, Hurka contacts the phosphoric acid with a metallic copper mass and Sakomura contacts the phosphoric acid with an anion exchange resin. Absent applicants disclosure, it would not be obvious to purify phosphoric acid by contacting the acid with hydrogen halide without the addition of any other purifying substance. Since Hurka and Sakomura do not describe or suggest the claimed

invention, claim 11 should be allowed. Claims 12 and 13, which depend from claim 11, should be allowed for at least the same reason.

For the foregoing reasons, a notice of allowance is solicited.

Applicants also request that the Examiner confirm that the PTO-1449 form filed by applicants on December 29, 2003, was reviewed.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no.358362010300. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

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Respectfully submitted,

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